

### **Amendments to the Specification**

Per the Examiner's item 2 of the Non Final Office Action of February 18, 2009 the Applicant amends the following paragraphs of the specification. Please replace paragraphs 65, 92 and 93 with the following paragraphs as edited.

[0065] An illustrative diagram of a CCA-capable node is depicted in FIG. 5. As shown, the node 500 includes a data processing system 502 coupled with both a signal transmitter/receiver 504 and a cross-layer transmitter/receiver 506. The signal transmitter/receiver 504 maybe an omni directional transmitter/receiver, or may be configured directionally if desired. The cross-layer transmitter/receiver 506 is depicted in FIG. 2 as a satellite transmitter/receiver, but one skilled in the art will appreciate that the cross-layer transmitter/receiver 506 could be any type of transmitter/receiver required to communicatively connect the CCA-capable node 500 with the other components of the hybrid network whether it be a satellite network, a fixed network, an airborne network, or any other type of network. Further, one skilled in the art will appreciate that the signal transmitter/receiver 504 and the cross-layer transmitter/receiver 506 ~~[[maybe]]~~ may be the same physical transmitter/receiver depending upon the configuration of the sub-network and the hybrid network.

[0092] (b) Node-Initiated and ~~[[Reactive]]~~ Proactive

[0093] In the node-initiated and proactive case, each node keeps track of all active CCA capable nodes by periodically pinging all the CCA-capable nodes. When the gateway CCA that the node is affiliated with does not respond to ping messages, the node switches to one of the CCA-capable nodes that recently responded to its ping message. FIG. 7 is a flow diagram of the node-initiated and proactive algorithm. In this algorithm, the nodes have to keep track of all the CCA-capable nodes in the network. This is useful for fast recovery if the gateway CCA becomes inactive, but at the cost of an increase in the overhead.